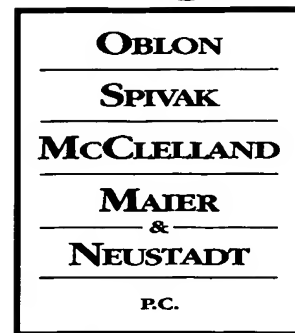




Docket No.: 247071US0DIV

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/761,358

Applicants: Shin KOIKE, et al.

Filing Date: January 22, 2004

For: OIL COMPOSITION

Group Art Unit: 1614

Examiner: WEDDINGTON, K.E.

SIR:

Attached hereto for filing are the following papers:

RESPONSE AND REQUEST FOR RECONSIDERATION;

(1) 4 p. ATTACHMENT (Copy of December 6, 2002 USPTO Restriction Requirement of S.N. 10/061,286 now U.S. 6,852,758)

Our check in the amount of \$-0- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 247071US0DIV



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
SHIN KOIKE, ET AL. : EXAMINER: WEDDINGTON, K. E.
SERIAL NO: 10/761,358 :
FILED: JANUARY 22, 2004 : GROUP ART UNIT: 1614
FOR: OIL COMPOSITION :

RESPONSE AND REQUEST FOR RECONSIDERATION

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Responsive to the Official Action of April 19, 2006, reconsideration of the above-identified application is respectfully requested in view of the following remarks.

REQUEST FOR RECONSIDERATION

Claims 6-13 remain active in this application.

The rejection of claims 6-13 under the judicially created doctrine of obviousness-type double patenting over claims 1-14 of U.S. 6,852,758 is respectfully traversed.

Present claims 6-13 are directed to a food product comprising an oil composition and a food.

Claims 1-14 of U.S. 6,852,758 are directed to a method of preparing an oil composition. Applicants respectfully submit that the PTO has already taken the position during the prosecution of application 10/061,286, the patent application which eventually matured into U.S. 6,852,758, that claims directed to a food composition and a method of